

erty now belonging to the Texas Prison System by said Prison Board shall take effect until same has been approved by the Governor of this State.

Sec. 3. The fact that the State Prison System is undergoing reorganization in its management, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

### NINETEENTH DAY.

Senate Chamber,  
Austin, Texas,  
June 4, 1927.

The Senate met at 10:00 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Greer.	Smith.
Hall.	Stuart.
Hardin.	Triplett.
Holbrook.	Ward.
Lewis.	Westbrook.
Love.	Wirtz.
McFarlane.	Witt.
Miller.	Wood.
Moore.	Woodward.
Neal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

### Petitions and Memorials.

(See Appendix.)

### Committee Reports.

(See Appendix.)

### Bills and Resolutions.

#### Committee on Alabama Indians.

The Chair announced the appoint-

ment of Mrs. Earl Caddell and Senator Ward as additions to the Committee to Investigate the status of the Alabama Indians.

### Senate Bill No. 68.

The Chair laid before the Senate as pending business, the following bill:

S. B. No. 68, A bill to be entitled "An Act to authorize incorporated cities, towns, and villages incorporated under either general or special law, including those under a special charter or amendment of charter adopted pursuant to the Home Rule provisions of the constitution to cause to be improved, streets, avenues, alleys, highways, boulevards, drives, public places, squares, etc., and declaring an emergency."

The bill was passed to engrossment.

On motion of Senator Love, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 68 was put on its third reading and final passage, by the following vote:

Yeas—26.

Bailey.	Neal.
Berkeley.	Parr.
Bledsoe.	Pollard.
Fairchild.	Real.
Floyd.	Reid.
Greer.	Russek.
Hall.	Smith.
Hardin.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Love.	Wirtz.
McFarlane.	Wood.
Moore.	Woodward.

Absent.

Bowers.	Westbrook.
Miller.	Witt.
Price.	

The bill was read third time and passed finally, by the following vote:

Yeas—21.

Berkeley.	McFarlane.
Bledsoe.	Moore.
Fairchild.	Neal.
Floyd.	Parr.
Holbrook.	Pollard.
Lewis.	Real.
Love.	Reid.

Russek.  
Smith.  
Triplett.  
Ward.

Witt.  
Wood.  
Woodward.

Nays—1.

Bailey.

Absent.

Bowers.  
Greer  
Hall.  
Hardin.  
Miller.

Price.  
Stuart.  
Westbrook.  
Wirtz.

#### House Bill No. 6.

The Chair laid before the Senate as special order, the following bill:

H. B. No. 6, A bill to be entitled "An Act to amend Articles 603 and 604 of Title 20, Chapter 1, Revised Statutes, 1925, and adding to said Title 20, another chapter, providing for efficiency tests and examinations and classification of appointive ministerial and clerical officers and employes of the State of Texas; regulating such tests and examinations and providing for fixing the compensation of such employes, and repealing all laws in conflict."

Senator Floyd sent up the following amendment:

Amend House Bill No. 6, by adding at the end of line 6, page 3, the following: Wardens and officers in the employment of the Fish, Game and Oyster Commission.

The amendment was read.

Senator Fairchild sent up the following substitution:

Amend H. B. No. 6, page 2, line 28, by striking out all the words after the word "or", on page 2 down to and including line 7 on page 3.

The substitute was read.

On the motion of Senator Pollard the substitute was tabled by the following vote:

Yeas—15.

Berkeley.  
Floyd.  
Greer  
Hall.  
Lewis.  
Love.  
Neal.  
Pollard.

Price.  
Real.  
Smith.  
Triplett.  
Witt.  
Wood.  
Woodward.

Nays—12.

Bailey.  
Bledsoe.

Bowers.  
Fairchild.

Holbrook.  
McFarlane.  
Moore.  
Parr.

Russek.  
Stuart.  
Westbrook.  
Wirtz.

Absent.

Hardin.  
Miller.

Reid.  
Ward.

Senator Floyd received unanimous consent to withdraw his amendment.

The question now recurred on the amendment by Senator Fairchild which was pending when this bill was set as special order.

Senator Parr sent up the following substitute amendment:

Amend H. B. No. 6, page 3, by striking out that part of Section 3 included in lines 16 to 27 inclusive, and insert in lieu thereof the following:

Section 3. The classified service shall include all employees now in the service of the State in their respective positions; except that such employees may be dismissed at the will of the appointing power. The employment, however, under these conditions shall continue only until January 1, 1929, at which time all positions in the classified service shall be filled by persons who have passed the examination of the Board as required by the provisions of this Act. The Board shall fix the percentage which shall qualify an applicant for position on the classified list at Seventy (70%) Per Cent.

The amendment was read.

Senator Wirtz sent up the following amendment to the substitute:

Amend the substitute by substituting January 1, 1928, for January 1, 1929.

The amendment was read.

Senator Wood moved the previous question on the pending amendments and on the bill.

The previous question was seconded and failed to be ordered by the following vote:

Yeas—14.

Berkeley.  
Hall.  
Lewis.  
Love.  
Neal.  
Pollard.  
Price.

Real.  
Reid.  
Smith.  
Triplett.  
Witt.  
Wood.  
Woodward.

## Nays—15.

Bailey.	Miller.
Bowers.	Moore.
Fairchild.	Parr.
Floyd.	Russek.
Greer.	Stuart.
Hardin.	Westbrook.
Holbrook.	Wirtz.
McFarlane.	

## Present—Not voting.

Bledsoe.

## Absent.

Ward.

## Messages From the House.

The Chair recognized the door-keeper, who introduced a messenger from the House, with the following message:

Hall of the House of Representatives,  
Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 65, A bill to be entitled "An Act requiring every person, firm, co-partnership, association or corporation doing business in this State, which are subject to occupation, gross receipts, or other taxes upon sales or gross receipts, to keep complete, permanent and detailed records of all business transacted in Texas, said records to be kept at the principal place of business in Texas; providing that the Attorney General of Texas or the State Comptroller, or the duly authorized representative of either, may make examination of all such books and records; defining the offense of failing to keep such records, and also failing or refusing to produce the same for examination, and fixing the penalty; providing for the producing of such records in court, and declaring an emergency."

H. B. No. 71, A bill to be entitled "An Act amending subdivision 7 of Article 1905 of the Revised Civil Statutes of the State of Texas, 1925, more distinctly specifying venue in cases of fraud and defalcation and in cases where two or more defendants are involved, and providing that suit may be brought in any county where fraud is committed or where defalcation occurs; and adding a new subdivision 29a, providing that

where suit may be lawfully maintained in any county against one defendant it may be also maintained in the same county against all parties who are necessary parties to the suit."

H. B. No. 112, A bill to be entitled "An Act amending Article 4011, Revised Civil Statutes, 1925, so as to permit a railroad to issue a free pass, or free transportation, to any minister of religion without being required to issue like free pass or free transportation to every other minister of religion in the State making application therefor, and declaring an emergency."

H. B. No. 127, A bill to be entitled "An Act amending Article 545, Revised Criminal Statutes, 1925."

H. B. No. 143, A bill to be entitled "An Act amending Chapter 42, Local and Special Laws, Regular Session of the Thirty-seventh Legislature of the State of Texas entitled 'An Act to create a more efficient and better road system for Brazos county, Texas,' etc., and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW.

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolutions:

H. C. R. No. 4, relating to higher education.

S. C. R. No. 5, giving the heirs of the Del Rio brothers permission to sue the State of Texas for lands which the State has appropriated for its own use.

H. C. R. No. 6, discouraging the expenditure of more money each year than the Legislature allows State departments and officials for their maintenance and upkeep.

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 76, A bill to be entitled

"An Act authorizing the employment of a skilled appraiser for each county to which an unorganized county is attached for judicial purposes to appraise property in such unorganized counties; making appropriation therefor; prescribing the duties of the appraiser; imposing additional duties upon the commissioners' courts, and declaring an emergency."

H. B. No. 121, A bill to be entitled "An Act to amend Article 432, Chapter 6, of the Revised Civil Statutes of Texas of 1925, relating to reserved deposits in savings departments of State banks, and declaring an emergency."

H. B. No. 102, A bill to be entitled "An Act to authorize a fifty year lease to be issued to the town of Aransas Pass in Aransas and San Patricio counties Ransom Island and its said flats extension to the northeast and its sand flats extension to the southwest in Red Fish Bay situated in Nueces county, and that shallow portion of said bay between said island and its extension and the mainland; authorizing the said town to improve or have said area improved for public park purposes and to police said area, reserving to the State all minerals, and the right to sell any and all shell; providing for forfeiture for failure to maintain in and keep said area open to the public, and declaring an emergency."

S. B. No. 76, A bill to be entitled "An Act making certain emergency appropriations out of the general revenue of the State for the several institutions and departments of the State Government, as named herein, for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

With amendments:

H. B. No. 60, A bill to be entitled "An Act changing the wording of Article 2007 of the Revised Civil Statutes of 1925, as passed by the Regular Session of the Thirty-ninth Legislature of the State of Texas, so that said Article 2007 shall read as follows: 'A plea of privilege to be sued in the county of one's residence shall be sufficient, if it be in writing and sworn to, and shall state that the party claiming such privilege was not, at the institution of such suit, nor at the time of the service of process thereon, nor at the time of filing such plea, a resident of the county in which such suit was instituted,

and shall state the county of his residence at the time of such plea, and that "no exception" to exclusive venue in the county of one's residence provided by law exists in said cause; and upon the filing of such plea the clerk or the court shall immediately issue notice to the plaintiff or his attorney of record, which notice shall state that such plea of privilege has been filed and such notice shall be served by any sheriff or constable of the county upon the plaintiff or the attorney of record of the plaintiff; and if such notice has been served, such plea of privilege shall be prima facie proof of the defendant's right to change of venue; provided, however, if the plaintiff desires to controvert the plea of privilege, he shall within five days after appearance day file a controverting plea under oath, setting out specifically the fact or facts relied upon to confer venue of such cause on the court where the cause is pending,' and declaring an emergency."

H. B. No. 141, A bill to be entitled "An Act to amend Chapter 270, Section 14, of the Acts of the Regular Session of the Fortieth Legislature, so as to provide for the enforcement of the act by assessing and collecting a penalty instead of making the failure to obey the law a misdemeanor, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,

Chief Clerk, House of Representatives.  
Austin, Texas, June 4, 1927.

Hall of the House of Representatives,  
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 52, A bill to be entitled "An Act authorizing the creation of junior college districts for the purpose of establishing, maintaining, operating and supporting junior colleges; providing the conditions upon which and the method by which such districts may be created; providing for board of junior college trustees; authorizing the levy, assessment and collection of taxes for the support and maintenance of junior colleges within such districts and the issuance of bonds by such districts; recognizing and validating the acts of cities or independent school districts heretofore had looking to the

establishment and organization of junior colleges, and declaring an emergency."

Respectfully submitted,

M. LOUISE SNOW,  
Chief Clerk. House of Representatives.

#### House Bills Read and Referred.

After their captions had been read, the Chair referred the following bills:

House Bill No. 65, read and referred to Committee on State Affairs.

House Bill No. 71, read and referred to Committee on Civil Jurisprudence.

House Bill No. 112, read and referred to Committee on State Affairs.

House Bill No. 127, read and referred to Committee on Criminal Jurisprudence.

House Bill No. 143, read and referred to Committee on Highways and Motor Vehicles.

House Bill No. 76, read and referred to Committee on Finance.

House Bill No. 121, read and referred to Committee on Banking.

House Bill No. 102, read and referred to Committee on Civil Jurisprudence.

House Bill No. 60, read and referred to Committee on Civil Jurisprudence.

House Bill No. 141, read and referred to Committee on Criminal Jurisprudence.

House Bill No. 52, read and referred to Committee on Education.

#### Senate Bill No. 60.

The Chair laid before the Senate on third reading, the following bill:

S. B. No. 60, A bill to be entitled "An Act to amend Article 3137 of Chapter 13 of Title 50, of the Revised Civil Statutes of Texas, adopted at the regular session of the 39th Legislature of said State in the year A. D. 1925."

The bill was finally passed.

#### Bills Signed.

The Chair, Lieutenant Governor Barry Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills.

H. B. No. 103.

H. C. R. No. 5.

#### Senate Bill No. 76.

Senator Wood moved that the Senate refuse to concur in the

House amendments to S. B. No. 76, and request a Free Conference Committee.

The Chair announced the appointment of the following committee on the part of the Senate:

Senators Wood, Stuart, Neal, Moore, Holbrook.

#### Senate Bill No. 33.

Senator Moore moved to reconsider the vote by which the Senate refused to finally pass S. B. No. 33, and spread the motion on the Journal.

#### Motion to Adjourn.

Senator Wirtz moved that the Senate adjourn until Monday morning at 10:00 o'clock.

Senator Pollard moved that the Senate recess until 2:00 o'clock p. m.

The motion to adjourn was lost by the following vote:

Yeas—15.

Bailey.	Miller.
Bowers.	Parr.
Fairchild.	Real.
Floyd.	Russek.
Greer.	Stuart.
Hardin.	Westbrook.
Holbrook.	Wirtz.
McFarlane.	

Nays—16.

Berkeley.	Price.
Bledsoe.	Reid.
Hall.	Smith.
Lewis.	Triplett.
Love.	Witt.
Moore.	Wood.
Neal.	Woodward.
Pollard.	The Chair.

Absent.

Ward.

The motion to recess prevailed.

#### Recess.

At 12:25 o'clock p. m., the Senate recessed until 2:00 o'clock p. m.

#### After Recess.

The Senate was called to order by Lieutenant Governor Barry Miller at 2:00 o'clock pursuant to recess.

#### House Bill No. 6.

The question recurred upon the amendment by Senator Wirtz to the substitute by Senator Price.

The amendment was adopted by the following vote:

## Yeas—17.

Bailey.	McFarlane.
Berkeley.	Miller.
Bledsoe.	Parr.
Bowers.	Real.
Fairchild.	Russek.
Floyd.	Stuart.
Greer.	Westbrook.
Hardin.	Wirtz.
Holbrook.	

## Nays—13.

Hall.	Reid.
Lewis.	Smith.
Love.	Triplett.
Moore.	Witt.
Neal.	Wood.
Pollard.	Woodward.
Price.	

## Absent.

Ward.

The substitute as amended was adopted.

Senator McFarlane sent up the following amendment:

Amend House Bill No. 6, page 3, line 19, by striking out all of lines 19 to 24 inclusive after the word power in line 19 and to the word such in line 24, and by inserting in lieu thereof the following: All classified employees shall be required to stand the examination within ninety days after this bill becomes effective.

The amendment was read and adopted.

## Adjournment.

The Senate, at 2:30 o'clock p. m., on the motion of Senator Bowers, adjourned until 9:00 o'clock Monday morning by the following vote:

## Yeas—18.

Bailey.	Miller.
Bledsoe.	Moore.
Bowers.	Parr.
Fairchild.	Real.
Floyd.	Russek.
Greer.	Stuart.
Hardin.	Ward.
Holbrook.	Westbrook.
McFarlane.	Wirtz.

## Nays—13.

Berkeley.	Reid.
Hall.	Smith.
Lewis.	Triplett.
Love.	Witt.
Neal.	Wood.
Pollard.	Woodward.
Price.	

## APPENDIX.

## Petitions and Memorials.

## Senator Vance on Civil Service.

Speaking on the civil service debate, Senator Vance said that all the present difficulties between the president and the senate was due to the act falsely called "an act to regulate and improve the civil service of the United States." He had introduced the bill which his present remarks were intended to support, for the purposes of repealing that act. Mr. Vance created much laughter by reading a suppositious conversation between an imaginary "old democrat" and an equally imaginary representative of the government, in which the old democrat, bearing in mind all the years of democratic exile, confidently approaches the representative of the government, expresses his joy at "our victory," and says he has come to get a place. The representative of the government receives him rather coolly, and assures him he is too old. When the old democrat's disappointment has been sufficiently expressed, he recommends his son, who is young and active, but the government representative, with many "ahems", explains the working of the civil service system and when the old democrat inquires whether all the republicans in office had got in under the civil service system, and had been subjected to the necessary examination, the government representative replies that he is troublesome, that he should not ask impertinent questions, and shows him to the door saying, "away with you." Mr. Vance said this was no fancy picture. There were thousands and thousands of men like that old democrat, and they were the strength of the Democratic Party. They had been its refuge in the past. Mr. Vance was not quite sure that they would be its champions in the future. They would not fight to win democratic victories for republican benefit. They believed that if a man were raised to the place of his ambition by his friends, he should give his friends preference over his enemies. So did Mr. Vance. They also believed that a man found wanting in gratitude might likewise be found wanting in other kindred and cardinal virtues. Mr. Vance was frequently applauded.

ed by the galleries in the course of his remarks.

In the broadest and most comprehensive sense, Mr. Vance announced himself a party man. He believed parties indispensable to liberty, and that government by party was the only way in which there could be a government by the people. Madison had said that parties were the natural preservers of liberty.

Any attempt to govern in a free country without party, Mr. Vance characterized as a sentimental Sunday school, goody two-shoes arrangement. It was an attempt to destroy the manhood of Anglo Saxon statesmanship. It was substituting for truth and square dealing a system of Pecksniffian wisdom and Pharisaism.

To show some of the characteristics, Mr. Vance mentioned the instance of some New York soldiers who lately devoted their pensions to the support of some poor crippled confederates who had fought against them. He also related an anecdote told of the battle of Fontenoy, that the English officers rode to the front, and invited the French army to fire first, to which the gallant French officer replied: "Not so, Messieurs, the gentlemen of the French guard never give but receive the first fire." For the want of political parties, Mr. Vance said, Russia had nihilism; for the want of constitutional parties France slept on communistic fires, and Germany had to maintain enormous armies. Mr. Vance proceeded to discuss the question of office holding from the point of view of the constitution. He maintains that every citizen of the United States was qualified to hold office except as the constitution limits the right. That was one of the proudest and most distinctive features of the democratic government. By this civil service law, only citizens of certain age, residents of certain states, and those who submit to certain examinations were eligible. This, Mr. Vance said, would not do. The millions were entitled to seek office and take their chances. They got no chances under this law. Too much was made to depend on the condition of the Commissioners' liver, his appetite for dinner, or the failure of his morning bitters. The establishment of a special class that should do all the office holding was like the act

of the Jews of old in consecrating the family of Levi to the honors of the priesthood, leaving to the other tribes hardships and responsibilities of war. The civil service commission was a board of censors to watch the president and make him walk a chalked line; to supervise senators and representatives. President Garfield had truthfully said that the doctrines of Hamilton were waxing while those of Jefferson were waning. If the chief magistrate could properly hold office for only four years, why should the clerk hold for life? It was said the clerk became more competent by long terms of office. Why did not the same argument apply to the president, and to senators and representatives? Why should a clerk be endowed with official immortality? We were told the English system was good, and that civil service did not there change its personnel on the change of parties. Well, the executive power of England was a hereditary power, and the perpetuity of office-holding was characteristic of a monarchy. It was not so of a democracy. There were some people among us, Mr. Vance continued, who hated the turmoil and struggle of freedom, in which they were compelled to jostle against those whom they did not suppose to be their social equals. The English view seemed to flourish among that class. Mr. Vance asked who was responsible for the conduct of an officer appointed under this law? Not the president because he had only made the appointment selected for him, not the head of a department, for the same reason; not even the civil service commissioners themselves, for they only selected the man with the most marks. Nobody was responsible. What, then, became of the president's responsibility for the proper conduct of the government. The act, in Mr. Vance's opinion, was wholly unconstitutional, and involuntarily submitting to its provisions, the president was surrendering his prerogative, which it was his duty to protect. The people, by the election of 1884, had declared for a change of officers in this republic, but their will had not been respected. The president had bound himself, not only by the law itself, but by the extra legal promises to extend the spirit of the law to offices

never contemplated by it. The result was that political enemies and spies surrounded every administration officer. This was trying to serve the Lord, with the devil for an active partner. The whole thing was a humbug, and in partial proof he read an advertisement offering, for ten cents, to supply a series of examination questions which would qualify anybody to pass civil service examinations. The civil service law was an attempt of the republican party to make up for the exposures of the many corruptions of that party. It should not have been called "an act to regulate and improve the civil service," but "last will and testament of the republican party." Mr. Vance was only sorry that the democratic president had become its executor instead of administrator de bonis non. Referring to the share of offices given to the south by the republican party, Mr. Vance said that out of over 7,000 offices in Washington, only 253 were registered from the south, and the civil service commissioners had declined to remedy this inequality. In the president's tender and touching farewell to the putative parent of civil service reform, Commissioner Eaton, he spoke of those who opposed this law as the worst elements of both parties. There was no earthly doubt that a great majority of the democratic party were opposed to that law. If then the "worst elements" of the democratic party were in the majority the party was indeed in a bad way.

Almost every utterance on this subject that has been heard in either house of congress since the session began has been more or less severe on the present system. The latest shot was fired by Senator Vance, of North Carolina, who is, perhaps, the extremest anti-civil service man in congress. In the course of his speech Senator Vance aroused the ire of the mug-wumps by the following allusion:

Said Horace Walpole:

"I have a maxim—that the extinction of party is the origin of faction."

And Horace Walpole ought to have known. In my honest opinion no more unmistakable sign of the decay of public virtue in politics has been furnished by American history than the rise, if indeed it can be said

to have arisen, of that maudlin political sentiment which we recognize, for want of a better, under the name of "mugwumpism", a kind of sickly sentimental, Sunday school, "goody two-shoes" party which appears desirous of ruling the world not as God has made it, but as they would have it. Under the fair guise of liberty, moderation, and public integrity, its tendency, if not its purpose, is to destroy the manhood, the outspoken courage of bluff Anglo-Saxon statesmanship, and seeks to substitute therefor a hybrid system of Pecksniffian snivel, which is to be in our politics what cant is to true religion, what Pharsaism is to the divine virtue of humility, and which will ultimately prove, like all other hybrids, simply an unhappy mixture of the more ignoble qualities of each parent. Men who fall in love with this diluted form of political ethics forget that with all the evils attending extreme partsanship we have also the candor, the courage, the outspoken sentiment, the manly defiance of opposition, the eager and zealous defence of principle which has infused, with all its roughness, a spirit of chivalry into our political warfare. We know each other. We know where we may expect to find ourselves and our opponents. We can calculate of each other that, whatever of evil there may be, there will be no deception, no hypocrisy, no pretense.

#### Committee on Enrolled Bills.

Committee Room,

Austin, Texas, June 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 47 carefully examined and compared, and find the same correctly enrolled, and have this day at 2:54 o'clock, p. m., presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 35 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:57 o'clock,



a. m., presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 34 carefully examined and compared, and find the same correctly enrolled, and have this day at 10:57 o'clock, a. m., presented the same to the Governor for his approval.

FLOYD, Chairman.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 60 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 64 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 90 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 96 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 97 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 103 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 108 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 3, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 110 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 118 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 116 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 121 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 124 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 68 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 50 carefully examined and compared, and find the same correctly engrossed.

WESTBROOK, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 112, A bill to be entitled "An Act amending Art. 4011, Revised Civil Statutes, 1925, so as to permit a railroad to issue a free pass, or free transportation, to any minister of religion without being required to issue like free pass or transportation to every other minister of religion in the State making application therefor and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 140, A bill to be entitled "An Act to confer authority upon the commissioners' court of any organized county that does not have a county board of trustees to appoint a county board of trustees to serve until the next election of school trustees, as provided for by law; defining the powers of county boards of trustees; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 122, A bill to be entitled "An Act to amend Article 6162, 6163, 6164 and 6165, of Title 107, Revised Texas Civil Statutes of 1925, defining and regulating loan brokers; providing punishment for the violation of this law; requiring loan brokers to file affidavits in the county clerk's office, giving name of owners and agents of said business; requiring loan brokers to execute a good and sufficient bond in the sum of one thousand dollars, payable to the county judge and his successors in office, conditioned that any person who may be injured or damaged or usury charged by such loan broker may sue and recover therefor; providing a reasonable attorney's fee may be allowed upon recovery of a judgment against such loan broker by the court not to exceed fifty dollars; providing sale or assignment of wages or any lien upon household and kitchen furniture made by married man to such loan broker, shall be joined by the wife and duly acknowledged as in the case of deeds; providing that any part of this Act should be declared unconstitutional it shall not effect any other part of the same. Repealing all of Arts. 1127, 1128, 1129, Title 14, Chapter 12 of the Revised Criminal Code of 1925 and all other laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed, there being a

Senate bill on the same subject printed.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 143, A bill to be entitled "An Act amending Chapter 42, Local and Special Laws, Regular Session of the 37th Legislature of the State of Texas, entitled 'An Act to create a more efficient and better Road System for Brazos County, Texas, etc.' to permit the issuance of refunding bonds for the purpose of funding or refunding indebtedness incurred for road and bridge purposes; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, but be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 90, A bill to be entitled "An Act to create a special and more efficient road system for Collin County, in the State of Texas, and making County Commissioners ex-officio road commissioners and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemnation of lands and other property by said county for the purpose of laying out and establishing roads and for straightening, widening or draining any established road, and for the condemnation of any timber, earth or other material for the construction and maintenance of public roads, and to provide for compensation of the material used; and providing for the working of county convicts on the public road and county farm and the purchase of supplies for such convicts, and the rewards for the capture of escaped convicts, and for the commutation of sentences for faithful service and good behavior,

and providing the powers and duties and liabilities of road overseers, and to provide for the summoning of road hands and teams for road work and for the allowance of time for services of hands and teams on public roads, and fixing the penalty for violation of same, and relieving them from the performance of such work by the payment of three (\$3.00) dollars, and providing that delinquent poll tax payers shall be liable for extra road duty of three days, and providing for the manner of summoning and working of all persons liable for road duty on the public roads who have not paid such road tax or such poll tax, and permitting substitution and payment of money in lieu of such services, and to provide for the manner of training and maintaining hedges along the public roads and the punishment for the failure to comply with, and for the allowance of extra time for road overseers, and to provide punishment for all who obstruct any drain way of any public road; and providing further, making this Act cumulative of the General Laws now in force, and to repeal Chapter 63 of the Acts of the Thirty-seventh Legislature, being a special road law for Collin County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 24, A bill to be entitled "An Act amending Article 6704 of the Revised Civil Statutes of the State of Texas as amended by Chapter 178 of the General and Special Laws of the Regular Session of the 40th Legislature so as to better define first-class roads which shall be classified by the Commissioners' Courts of the various counties; making provisions for detour roads to be provided by commissioners' courts when counties are working on public roads; and declaring an emergency."

Have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 91, A bill to be entitled "An Act to authorize the creation of road districts comprising two or more adjoining counties pursuant to Section 52, Article 3, of the Constitution; prescribing the method for the organization of such districts, authorizing such districts to vote and issue bonds for road building purposes; requiring such districts to state in general terms the road or roads to be constructed, and the amount apportioned to each road from the proceeds of the sale of bonds; authorizing such districts to purchase or take over improved roads already constructed by any county or road district included therein; providing for the selection of a treasury or depository for such district; enacting provisions incident and necessary to the subject and purpose of this Act; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 119, A bill to be entitled "An Act to amend Section 3, of Chapter 16 of the General Laws passed by the 39th Legislature, First Called Session, being Senate Bill No. 287, and providing that road districts may be created and road bonds thereof issued in counties having outstanding road bonds, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with

the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 70, A bill to be entitled "An Act to amend Chapter 2, Title 22, Revised Civil Statutes, 1925, by adding thereto Article 725a to permit the issuance of bonds by counties for the purpose of funding or refunding indebtedness heretofore incurred for the purchase and improvement of county parks; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 125, A bill to be entitled "An Act to provide the manner of service of citation on application for the appointment of administrator and inserting Art. 3334b and 3334c—validating the service of citation and the appointment of administrators insofar as notice is concerned where citation has been made by publication as provided for by Art. 28 without posting notices, or where citation has been made by posting notices as provided for by Art. 3334 without publication as provided by Article 28, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, June 4, 1927.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 91, A bill to be entitled "An Act amending Article 725, Revised Civil Statutes of 1925, authorizing the issuance of refunding bonds bearing the same or a lower rate of interest in lieu of any valid outstanding bonds which have been issued under authority of Title 22 or Title 71, Revised Civil Statutes of 1925, or provisions of law which have been amended or superseded thereby, and adding Article 725b validating all refunding bonds that have heretofore been issued and approved by the Attorney General for the purpose of refunding valid outstanding bonds or any of the counties of Texas; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, June 4, 1927.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 79, A bill to be entitled "An Act to amend Article 1728 of the Revised Civil Statutes of Texas as amended by Senate Bill No. 7, at the Regular Session of the 40th Legislature."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following Committee Amendment, and be not printed, as S. B. No. 74, being the same bill has been printed in the Journal.

Amend H. B. No. 79, by adding to the caption "and declaring an emergency".

BAILEY, Chairman.

Committee Room,  
Austin, Texas, June 4, 1927.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 52, A bill to be entitled "An Act authorizing the creation of Junior Colleges Districts for the purpose of establishing, maintaining, operating and supporting junior colleges; providing the conditions

upon which and the method by which such districts may be created; providing for board of junior college trustees; authorizing the levy, assessment and collection of taxes for the support and maintenance of junior colleges within such districts and the issuance of bonds by such districts recognizing and validating the acts of cities or independent school districts heretofore had looking to the establishment and organization of junior colleges, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, but be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, June 4, 1927.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 102, A bill to be entitled "An Act to authorize a fifty year lease to be issued to the town of Aransas Pass in Aransas and San Patricio Counties, Ransom Island and its sand flats extension to the northeast and its sand flat extension to the southwest in Red Fish Bay situated in Nueces County, and that Shallow portion of said bay between said islands and its extensions and the main land; authorizing the said town to improve or have said area improved for public park purposes and to police said area, reserving to the State all minerals, and the right to sell any and all shell; providing for forfeiture for failure to maintain and keep said area open to the public; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

## TWENTIETH DAY.

Senate Chamber.

Austin, Texas.

Monday, June 6, 1927.

The Senate met at 9:00 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.